

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALETHE CLEMETSON,

Plaintiff,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 3/9/05
DATE FILED: 3/9/05

- against -

TIFFANY AND COMPANY,

04 Civ. 5689
(GEL)(MHD)

Defendant.

STIPULATION AND ORDER OF DISMISSAL
OF PLAINTIFF'S CLAIMS WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that all of Plaintiff's claims in the above-captioned action are dismissed, with prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Each party will bear its own costs and attorneys fees.

Dated: March ___, 2005

OUTTEN & GOLDEN LLP

NIXON PEABODY LLP

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Attorneys for Defendant

So Ordered:

Reardon E. Zell U.S.D.J.
3/8/05